

**Lewis County Planning Commission
Public Meeting
Lewis County Courthouse
351 NW North St.
Chehalis, WA 98532**

**October 11, 2011
Meeting Notes**

Planning Commissioners Present: Mike Mahoney, Russ Prior, Jim Lowery, Bill Russell, Arny Davis

Planning Commissioners Absent: Bob Guenther, Richard Tausch

County Commissioners Present: Bill Schulte

Staff Present: Mike Kroll, Kim Amrine, Glenn Carter, Lynn Deitrick, Fred Chapman, Jerry Basler, Pat Anderson

Others Present: Please see sign in sheet

Handouts/Materials Used

- Agenda
- Meeting Notes from September 27, 2011
- Subarea Status Paper
- Subarea Map
- Draft Code Chapter 17.300, Compliance
- Draft Code Chapter 16.02.040, Fences

I. Call to Order

Chairman Russell called the meeting to order at 7:05 p.m. The Commissioners introduced themselves. The Chair asked the Commission if it would be acceptable to change the agenda to allow Public Works to present their Six Year Transportation Plan first. The Commissioners agreed.

III. New Business

Mr. Mike Kroll and Kim Amrine, Lewis County Public Works, presented a PowerPoint on the proposed Six Year Transportation Program (STIP). The purpose of the STIP is to improve transportation projects and programs and provide a program for the ensuing six calendar years.

Mr. Kroll explained the project is created by considering high accident locations, public comments and concerns, area supervisor comments and development potential.

The project is also based on selection criteria which helps determine what goes on the STIP and the project selection. There are various funding sources for the projects.

Mr. Kroll summarized the priorities and what each involves. Commissioner Davis asked about the Ceres Hill Rd revetment project and how the work is done to satisfy the Department of Fish and Wildlife. Mr. Kroll explained what will be done there and stated Public Works has to go through the permitting process. Commissioner Schulte stated that site had been surveyed a couple of years ago and there has been some permitting done. This project will most likely begin next summer and will be a two or three year project.

There was discussion about Priority No 16: Airport Road Reconstruction. Mr. Kroll stated when the project is completed there would be a connection between where the road ends now through to Louisiana Avenue. Mr. Kroll stated it will get traffic off of the freeway to go between Centralia and Chehalis.

Priority No 18 is the Davis Creek Bridge repair. Currently there is a moratorium on FEMA funding which means there will be no work done on the bridge for some time. There will most likely be a public hearing to determine if the local residents want the bridge to be repaired. If they do not, the FEMA money will be pulled.

Commissioner Lowery noted there is a project planned for Harrison Avenue. He asked why the City of Centralia, the County, the State and the Port don't pool their resources to get a grant or funding to make improvements to accommodate the increased traffic. Mr. Kroll stated some improvement has been done, such as when Michael's went in. The Port gave money to improve the Cooper/Goodrich intersection, as well as improving a portion of their property line with curbs and gutters. The County continues to seek grants to improve the entire corridor but that has not been successful.

Commissioner Lowery was glad to see that Lewis County is starting to address the issue of trails for joggers and bikes. He stated Lewis County is way behind other counties in that regard.

Commissioner Prior asked if there are any specific plans for bicycle trails with the urban areas. Mr. Kroll stated part of the Airport Road construction will be a bike/pedestrian path. It will be separated from the road with a jersey barrier.

Commissioner Prior asked what geographic equity meant. Mr. Kroll stated when the county plans to chip seal it knows how many miles are in each geographic area and it portions out the money percentage-wise. Mr. Kroll stated a lot of money that the county gets is federal money which has to go towards federal aid roads: those with higher Average Daily Traffic (ADT) and usually closer to I-5.

Commissioner Prior stated there were quite a few landslide repairs and he thought those would need to be fixed on an emergency basis; landslides are never planned. He asked if emergency funding is part of the funding Mr. Kroll explained.

Mr. Kroll stated there needs to be a declaration from the BOCC. Commissioner Schulte stated some of the roads are funded from more than one source and they have to be on the STIP to receive federal money. A lot of the slides are emergencies which are fast-tracked. The STIP is a funding plan and a lot of projects are put on the STIP in the hopes of getting grants or funding because if they are not on the STIP they will not get funded and completed. Commissioner Schulte stated amendments can be made to the STIP but even under an emergency, we have to wait for the fish window, etc. Leudinghaus Rd, Davis Creek, Hadaller Rd and others are emergency funding. The County will figure out a way to get a lane open but the emergency still needs to go on the STIP.

Commissioner Mahoney stated Lincoln Creek Rd was chip sealed this summer. He stated he appreciated the quality of work and the attitude of the workers on that project. They did a great job.

In answer to a question from Chairman Russell, Mr. Kroll stated all the road improvements will be done to the current county standards.

II. Old Business

A. Approval of meeting notes from September 27, 2011.

Commissioner Lowery made a motion to approve the meetings notes; Commissioner Mahoney seconded. The motion carried.

B. Workshop on South County Subarea Plan

Mr. Basler stated the Subarea Plan and the Urban Reserve Area will be running on a parallel path. He referred to the Status Paper that was included in the packets. Mr. Basler summarized how the subarea plan came about and the people who were involved, including the Departments of Ecology and Fish and Wildlife.

Mr. Basler showed on a map two areas that were identified as the most suitable for economic development. One is at I-5 and Highway 505; the other at Jackson Highway and Highway 505. He stated the original plan did not go forward to the BOCC and early this year staff met with the elected officials, the steering committee and citizens and key issues came out of that meeting. The County hired Mr. McCormick to help with the revised plan.

One element that came out of that meeting was one-on-one meetings with the property owners who were originally included in the proposed urban growth area and were opposed to it and did not want to be included. They were informed what it would mean to be in or out of the UGA and they would not be forced to be in if they did not choose to be. The plan was revised to exclude those properties which were primarily along the Jackson Highway near Highway 505.

Another issue that was identified was the capital facilities element. There were items that needed to be included and those were identified as levels of service, cost estimates for construction, provider of services, sources of funding and other elements generally found in a capital facilities element.

The County and the cities of Vader, Toledo and Winlock have been working on a cooperative utility agreement and provisions for wastewater and water delivery service. That process is still on-going. The formation of an Economic Urban Growth Area will require delivery of services and will be dependent on the outcome of those discussions.

The Urban Reserve Areas will be placeholders for the time when those areas might be economically developed.

Mr. Basler stated the open house in Toledo last week went well, with about 30 people attending and asking questions. The meetings that he and Mr. McCormick had earlier in the year with individuals were very beneficial in helping people understand the plan. While some of them may not be in favor of the plan, they are not as upset as they were last year.

Commissioner Mahoney stated he was pleased that the Commissioners are looking at areas to develop that are out of the flood plain and the Winlock/Toledo area is out of the flood plain.

D. Set Public Hearing on South County Plan and Urban Reserve Areas

Commissioner Lowery made a motion to set a public hearing for November 8 in the Toledo area on the south county plan and urban reserve areas. Commissioner Mahoney seconded. The motion carried.

E. Draft Code Amendments: Code Compliance, Chapter 17.300

Mr. Deitrick stated there were a couple of minor changes on the Fence section, Chapter 16.02.040. A revised copy of that code was distributed at the meeting. Mr. Deitrick changed a word in the first sentence to "will". Another discussion was regarding (iii) and that there might be a misinterpretation between the building code and agricultural fencing. The language was changed in that sub-section and Mr. Deitrick reminded the Commissioners that the entire section related to fences greater than 6' in height.

Chairman Russell asked how the International Building Code (IBC) would relate to this directly. Mr. Chapman, Lewis County Building Official, stated there is no conflict with that statement. The IBC states explicitly that any fence over 6' in height requires a permit.

Mr. Deitrick referred to the Compliance Chapter, 17.300, and the changes that were made since the last meeting. In 17.300.020, the first sentence was re-written. The "innocent purchaser" was removed and Mr. Deitrick stated he would explain that shortly. In 17.300.030(c) included the word "building" which was not necessary and that word was deleted. In 17.300.040(1) had a (1) and (2) in the old version; those have been combined in the newest version.

Under 17.300.050 Penalties (G) had the word "deposit" in it. After a discussion with Ms. Shirley Kook, Lewis County Surface Water Engineer, the language was changed to include the word "impairs" as she felt the original language was redundant.

Mr. Deitrick stated the last draft had three sections that tried to identify the innocent purchaser. After talking with the Prosecuting Attorney's office and Code Enforcement officers, it was determined it would be more cumbersome for the county, from a financial standpoint, as well as from an administration standpoint, to include the innocent purchaser. By removing it the county will operate the way it always has. The property owner will have the responsibility for any compliance issues. The County will work with a property owner but ultimately if that owner feels he was sold property that should have had information disclosed, he will have recourse to take the seller through the court system.

Commissioner Lowery stated at the last meeting there was a discussion about notifying a property owner and thought it was determined that it should be left up to the department. This document reads "notice shall be delivered either personally or by mailing a copy of such notice by regular first class mail and certified mail." He asked if both will be done. Mr. Deitrick stated "and" should be changed to "or".

Commissioner Davis read 17.30.050 Civil Infractions. He was not clear as to what LCC 1.20 states, but (B)(1) reads that each director or department may assess up to \$1,000 for each violation, and this can be assessed daily. He was concerned about over-zealous future department heads. He believed there should be a few days to respond to a notice before a penalty is assessed.

Mr. Deitrick stated there is recourse through the Hearing Examiner as stated in (8). After further discussion, Mr. Deitrick stated there is a reference to LCC 1.20, which is under General Penalty and

Fines. Under 1.20.040, Civil Enforcement, it speaks to notice of infraction and the requirement of responding to that notice.

Chairman Russell was concerned about 17.300.050 Penalties. There is no definition for ecological values and suggested those be referenced. Mr. Deitrick stated there would be too many references because of all the numerous agencies that might be involved in that type of penalty.

There were no other comments.

IV. Calendar

The next meeting will be on October 25, 2011, a public hearing on the draft code amendments, and a second workshop on the Subarea Plan.

V. Good of the Order

No one wished to speak.

VI. Adjourn

A motion was made by Commissioner Lowery, seconded by Commissioner Mahoney to adjourn. The meeting adjourned at 8:28 p.m.